

A bill for an act  
relating to local government; providing publishing alternatives to legal  
newspapers; amending Minnesota Statutes 2008, sections 10.60, subdivisions 1,  
2, 4; 331A.03, by adding subdivisions; 645.11; 645.12, subdivision 1; proposing  
coding for new law in Minnesota Statutes, chapter 331A; repealing Minnesota  
Statutes 2008, section 331A.03, subdivisions 2, 3.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 10.60, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of this section:

(1) "political subdivision" means a county, statutory or home rule charter city, town,  
school district, or other ~~municipal corporation~~ public body, and the Metropolitan Council  
and a metropolitan or regional agency;

(2) "publication" means a document printed with public money by an elected  
or appointed official of a state agency or political subdivision that is intended to be  
distributed publicly outside of the state agency or political subdivision;

(3) "state agency" means an entity in the executive, judicial, or legislative branch  
of state government; and

(4) "Web site" means a site maintained on the World Wide Web that is available for  
unrestricted public access and that is maintained with public money by an elected or  
appointed official of a state agency or political subdivision.

Sec. 2. Minnesota Statutes 2008, section 10.60, subdivision 2, is amended to read:

Subd. 2. **Purpose of Web site and publications.** The purpose of a Web site and  
a publication must be to provide information about the duties and jurisdiction of a state  
agency or political subdivision or to facilitate access to public services and information

related to the responsibilities or functions of the state agency or political subdivision,  
including the posting of notices that would otherwise need to be published in a newspaper.  
A political subdivision may also agree to provide the same type of information on behalf  
of another political subdivision that does not have its own Web site.

Sec. 3. Minnesota Statutes 2008, section 10.60, subdivision 4, is amended to read:

Subd. 4. **Permitted material.** (a) Material specified in this subdivision may  
be included on a Web site or in a publication, but only if the material complies with  
subdivision 2. This subdivision is not a comprehensive list of material that may be  
contained on a Web site or in a publication, if the material complies with subdivision 2.

(b) A Web site or publication may include biographical information about an elected  
or appointed official, a single official photograph of the official, and photographs of the  
official performing functions related to the office. There is no limitation on photographs,  
Webcasts, archives of Webcasts, and audio or video files that facilitate access to  
information or services or inform the public about the duties and obligations of the office or  
that are intended to promote trade or tourism. A state Web site or publication may include  
photographs or information involving civic or charitable work done by the governor's  
spouse, provided that these activities relate to the functions of the governor's office.

(c) A Web site or publication may include press releases, proposals, policy positions,  
and other information directly related to the legal functions, duties, and jurisdiction of a  
public official or organization. A Web site may also be used for the posting of notices that  
would otherwise be required to be published in a newspaper.

(d) The election-related Web site maintained by the Office of the Secretary of State  
shall provide links to:

(1) the campaign Web site of any candidate for legislative, constitutional, judicial,  
or federal office who requests or whose campaign committee requests such a link and  
provides in writing a valid URL address to the Office of the Secretary of State; and

(2) the Web site of any individual or group advocating for or against or providing  
neutral information with respect to any ballot question, where the individual or group  
requests such a link and provides in writing a valid Web site address and valid e-mail  
address to the Office of the Secretary of State.

These links must be provided on the election-related Web site maintained by the  
Office of the Secretary of State from the opening of filing for the office in question until  
the business day following the day on which the State Canvassing Board has declared the  
results of the state general election, or November 30 of the year in which the election has  
taken place, whichever date is earlier. The link must be activated on the election-related

3.1 Web site maintained by the Office of the Secretary of State within two business days of  
3.2 receipt of the request from a qualified candidate or committee.

3.3 Sec. 4. Minnesota Statutes 2008, section 331A.03, is amended by adding a subdivision  
3.4 to read:

3.5 Subd. 2a. **Alternative notice options.** Except as provided in section 645.11,  
3.6 subdivision 3, the governing body of any public body required to provide published notice  
3.7 in the manner set forth in this section may, by resolution, opt to provide such notice in  
3.8 one of the following manners: (a) by posting the notice on its designated Web site; (b)  
3.9 by publishing the notice in a newsletter or similar printed means prepared by the public  
3.10 body and delivered by mail or other means to each household within the public body's  
3.11 jurisdiction; or (c) by inclusion of the notice in a free publication of general circulation or  
3.12 distribution within the public body's jurisdiction, provided the publication does not charge  
3.13 for publishing the public notice and the governing body determines that the publication is  
3.14 likely to give better notice to residents than publication in a newspaper qualified under  
3.15 this chapter. A governing body opting to provide notice by one of the alternative means  
3.16 provided in this subdivision must provide one published notice in its official newspaper  
3.17 informing the public of where future notices that would otherwise be published in the  
3.18 newspaper can be found.

3.19 Sec. 5. Minnesota Statutes 2008, section 331A.03, is amended by adding a subdivision  
3.20 to read:

3.21 Subd. 3a. **Mailed copy.** A person may file a written request to receive a mailed copy  
3.22 of any notice provided using an alternative method under subdivision 2a. The governing  
3.23 body of any entity using an alternative method under subdivision 2a may impose a  
3.24 reasonable fee to cover the cost of printing, copying, and mailing any notice requested  
3.25 under this subdivision.

3.26 Sec. 6. **[331A.041] DESIGNATION OF OFFICIAL WEB SITE.**

3.27 The governing body of a public body may designate a public Web site as its official  
3.28 Web site. The Web site must comply with the requirements of section 10.60. A public  
3.29 Web site maintained by another public body may only be designated if the two entities  
3.30 enter into a written agreement regarding the terms of use of the Web site.

3.31 Sec. 7. Minnesota Statutes 2008, section 645.11, is amended to read:

3.32 **645.11 PUBLISHED NOTICE.**

4.1            Subdivision 1. **Qualified newspaper.** Unless otherwise specifically provided, the  
4.2 words "published notice," when used in reference to the giving of notice in any proceeding  
4.3 or the service of any summons, order, or process in judicial proceedings, mean the  
4.4 publication in full of the notice, or other paper referred to, in the regular issue of a qualified  
4.5 newspaper, once each week for the number of weeks specified. When the publication day  
4.6 of any newspaper falls upon Thanksgiving Day, or upon any legal holiday, the publication  
4.7 of notice in any proceeding or the publication of any summons, order, or process in  
4.8 judicial proceedings, may be made either the day before or the day after Thanksgiving  
4.9 Day, or such legal holiday. When the published notice contains a description of real estate  
4.10 which is located within the legal limits of any city, which city is situated in more than one  
4.11 county, such published notice may be published in any legal newspaper within such city.

4.12            Subd. 2. **Web site.** Except as provided in subdivision 3, whenever a county, home  
4.13 rule charter or statutory city, town, school district, or other public body, or any committee,  
4.14 subcommittee, board, department, or commission of a public body, is required to provided  
4.15 published notice in an official newspaper or paper of general circulation within the public  
4.16 body, the publication requirement is satisfied if the public body posts the required notice  
4.17 on its designated official Web site for the time period required by the specific notice  
4.18 requirement.

4.19            Subd. 3. **Exception.** When published notice is required under the provisions of  
4.20 chapter 414, 429, or 462, or section 410.10, a public body may not substitute the Web site  
4.21 posting authorized in subdivision 2 for the required publication in an official newspaper or  
4.22 one of general circulation within the public body.

4.23            Sec. 8. Minnesota Statutes 2008, section 645.12, subdivision 1, is amended to read:

4.24            Subdivision 1. **Definition.** The term "posted notice," when used in reference to  
4.25 the giving of notice in any proceeding or the service of any summons, order, or process  
4.26 in judicial proceedings, means the posting, at the beginning of the prescribed period  
4.27 of notice, of a copy of the notice or document referred to, in a manner likely to attract  
4.28 attention, in each of three of the most public places in the town, city, district, or county  
4.29 to which the subject matter of the notice relates, or in which the thing of which notice  
4.30 is given is to occur or to be performed. When the governing body of a town, city,  
4.31 county, school district, or other public body determines that posting places outside of its  
4.32 boundaries will better serve the intent of notifying members of the public, use of such a  
4.33 posting place satisfies the requirements of this section. The use of a designated official  
4.34 Web site may be used for one of the required posting places.

- 5.1       Sec. 9. **REPEALER.**
- 5.2       Minnesota Statutes 2008, section 331A.03, subdivisions 2 and 3, are repealed.